

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 06, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

AIDEN ZAHAY PHILLIPS,

Defendant.

No. 1:22-CR-2030-MKD-1

PROTECTIVE ORDER

ECF No. 20

Before the Court is the United States' Motion for Protective Order, ECF No. 20. Defendant in this criminal case is charged with sexual abuse of a minor in Indian Country. ECF No. 1. The United States seeks a protective order to guard against improper dissemination of the sensitive information contained in the discovery materials in this case. The United States asserts that Defendant does not oppose the motion. The Court has reviewed the motion, the record, and is fully informed. Pursuant to Federal Rule of Criminal Procedure 16(d)(1), the Court finds good cause to issue a protective order in this matter.

1 Accordingly, **IT IS ORDERED:**

2 1. The United States' Motion for Protective Order, **ECF No. 20**, is
3 **GRANTED.**

4 2. The parties shall abide by the following Protective Order.

5 **PROTECTIVE ORDER**

6 1. Pursuant to the discovery obligations previously imposed by the Court,
7 the United States is authorized to disclose discovery in its possession and any
8 Protected Information contained therein. As used herein, "Protected Information"
9 means sensitive personal, business, and financial information of defendants and
10 third parties, including, for example, social security numbers, driver's license and
11 identification information, taxpayer identification numbers, tax information and
12 records, salary information, dates of birth, birth places, addresses, phone numbers,
13 e-mail addresses, personal photographs, cooperating witness information, minor
14 witness information, and financial and business account numbers and information.

15 2. Counsel for Defendant (hereinafter "Defense Counsel") shall not share
16 or provide any discovery items produced by the United States in this case with
17 anyone other than designated Defense Counsel, defense investigators, retained
18 expert witnesses, and support staff. Defense Counsel may permit Defendant to view
19 unredacted discovery items in the presence of Defense Counsel, defense
20 investigators, and support staff. Defense Counsel personally, or through Defense

1 Counsel's investigators and support staff, may show unredacted discovery items to
2 witnesses in regard to items or events about which a witness may have personal
3 knowledge. Defense Counsel and his investigators and support staff shall not allow
4 Defendant or witnesses to copy Protected Information contained in the discovery.

5 3. The discovery and information therein may be used only in connection
6 with the litigation of this case and for no other purpose. The discovery is now and
7 will forever remain the property of the United States. At the conclusion of the case,
8 Defense Counsel will return the discovery to the United States, will certify that it
9 has been shredded, or, if the materials are still needed, will store it in a secure place
10 and not disclose it to third parties. If the assigned Defense Counsel is relieved or
11 substituted from the case, Defense Counsel will return the discovery to the United
12 States or certify that it has been shredded.

13 4. Defense Counsel shall store the discovery in a secure place and will
14 use reasonable care to ensure that it is not disclosed to third persons contrary to the
15 Protective Order.

16 5. Defense Counsel shall be responsible for advising Defendant,
17 employees, witnesses, and other members of the defense team of the contents of
18 this Protective Order.

19 6. This Protective Order shall also apply to any new Defense Counsel that
20 may later become counsel of record in this case.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order and provide copies to all counsel.

DATED April 6, 2022.

s/Mary K. Dimke
MARY K. DIMKE
UNITED STATES DISTRICT JUDGE